

VZCZCXR07944
PP RUEHDE
DE RUEHKU #0724/01 0631315
ZNY CCCCC ZZH
P 041315Z MAR 06
FM AMEMBASSY KUWAIT
TO RUEHC/SECSTATE WASHDC PRIORITY 3274
INFO RUEHZM/GULF COOPERATION COUNCIL COLLECTIVE PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 KUWAIT 000724

SIPDIS

SIPDIS

FOR NEA/ARPI, INL/HSTC AND G/TIP

E.O. 12958: DECL: 03/01/2016

TAGS: PHUM KCRM ELAB KU

SUBJECT: NEW NGO LOBBIES GOVERNMENT OF KUWAIT ON EXPAT LABOR, SAYS SHELTER IS NOT THE ANSWER

REF: A. KUWAIT 698

1B. KUWAIT 505

1C. KUWAIT 42

Classified By: Ambassador Richard LeBaron for reasons 1.4(b) and (d)

11. (C) Summary: PolOff met on March 1st with the Social Work Society (SWS) of Kuwait, a new NGO devoted to advocating for expatriate labor rights. The NGO claims it has found corruption in the GOK's dealings with foreign laborers, but it is optimistic about the new government's declared focus on political and economic reform. SWS has carried out what it claims to be the first independent studies documenting expatriate labor issues, which it plans to use in a media campaign. It opposes the idea of a domestic labor shelter. SWS looks negatively on the Kuwait Union of Domestic Labor Offices (KUDLO), an important Embassy contact on TIP-related issues (reftel), because it doubts KUDLO's motives. SWS has the political backing of the Amir's granddaughter. End Summary.

Social Work Society of Kuwait (SWS)

12. (C) PolOff met on March 1st with representatives of the recently-licensed (October 2005) Social Work Society of Kuwait (SWS) (<http://www.q8sws.com>) to discuss its efforts to address expatriate labor issues in Kuwait. The Vice Chair of the organization is Shaykha Bibi Nasser Al-Sabah, granddaughter of the Amir and daughter of the Amir's son Nasser Al-Sabah Al-Ahmad Al-Sabah, Minister for Amiri Diwan Affairs. Shaykha Bibi says her position as a close relative of the Amir signals to Kuwaitis that the Amir backs her positions, even though she admits that he only knows she is "involved in human rights." This "wasta" (connections/influence) is crucial, because Shaykha Bibi has been told she will make powerful enemies if she attempts to challenge the current arrangements between sponsoring employers and laborers. The chairman of the organization is Faisal Al-Masoud, an American-trained ex-fighter pilot who works with the Kuwaiti National Guard and is involved in a number of governmental committees on social issues and NGOs.

SWS Claims Government Corruption in Labor Issues

13. (C) SWS started its work by intervening in a number of individual worker rights cases. Through this experience, members noticed systemic problems such as corruption and bureaucratic inefficiency. Specifically, they noted that officials in the General Administration for Investigation at the Ministry of the Interior colluded in the illegal detention of workers in exchange for favors from the workers' sponsors. (Note: The General Administration for Investigation has at least one investigator at each police

station and has a great deal of discretionary power to detain or release people who are brought to the police stations. End Note.) This enables sponsors to punish or threaten employees with whom they have conflicts. SWS officials reported that Sa'ad Abdul-Razzaq Al-Di'i, the former head of the Kuwaiti Investigation Service, was particularly obtrusive in preventing laborers' cases from proceeding to court. The organization sees Al-Di'i's recent ouster (approximately two months ago) as removing a major obstacle to workers obtaining their rights. They went on to say they have inside information that he is facing legal troubles himself. SWS confirmed anecdotal reports from some source country embassies that the courts are fair arbiters of labor issues.

Efforts to Effect Legislative Change

¶ 14. (C) SWS has performed extensive surveys of domestic and private sector expatriate laborers. It said most previous studies were performed by the GOK, which made respondents less likely to answer candidly. It is in the process of synthesizing the raw data (samples of which were provided to PolOff) into studies that it can use to lobby the Government for reform. SWS claims to have strong connections with Members of Parliament and the Government who support their cause, but who did not see workable solutions to expatriate labor issues. The SWS studies and the conclusions that result are meant to fill that void.

¶ 15. (C) SWS is planning a media campaign of seminars, some of which it says will be televised, and brochures to build support for changes to Kuwaiti Labor Law. It plans to use Shaykha Bibi's connections to get the support of large private sector companies so that the media campaign will not

KUWAIT 00000724 002 OF 002

appear to be an attack on their profitability. Furthermore, it sees the new Amir as the "Amir of Reform" and think his accession bodes well for change.

SWS Opposed to Shelter

¶ 16. (C) SWS strongly opposes a shelter for domestic laborers. Al-Masoud and Shaykha Bibi think the shelter will create more problems than it solves. Primary among these problems is that if crime or violence occurs within the shelter, it will reflect badly on the Government. They acknowledge that workers sometimes need shelter, but that solving the underlying issues (improvements to the labor law and putting the domestic labor recruitment offices out of business) will be the best way to help workers.

SWS Views KUDLO Negatively

¶ 17. (C) SWS said it knew of no other organizations that were active in worker rights issues. When asked about KUDLO, Shaykha Bibi and Al-Masoud responded that Fadhel Ashkenani, its leader, is the "biggest slave trader in Kuwait." They suspect the organization of trying to monopolize the domestic labor market in Kuwait and doubt its sincerity in working for domestic labor rights. (Comment: KUDLO's actions on the ground seem to contradict SWS's contentions, but KUDLO does have business interests in the domestic labor industry. Though KUDLO may genuinely want to improve the situation of workers in Kuwait, it also wants to monopolize the industry. Such a monopoly could make it easier to regulate the industry, which is now an extremely difficult task because of the existence of dozens or even hundreds of such agencies. But such a monopoly could also be dangerous if abused. End Comment.) SWS suggests that the recruitment agencies be done away with and that the Ministry of the Interior or Ministry of Social Affairs and Labor act as the facilitator of domestic employment.

For more reporting from Embassy Kuwait, visit:
<http://www.state.sgov.gov/p/nea/kuwait/?cable s>

Visit Kuwait's Classified Website:
<http://www.state.sgov.gov/p/nea/kuwait/>

LEBARON